

REMARKS

Applicant thanks the Examiner for his thoughtful consideration of this case. This Application has been carefully reviewed in light of the Office Action mailed July 9, 2003. To clarify various aspects of inventive subject matter and/or correct typographical errors, Applicant amends Claims 10, 20, 21, 30, 56-62, 64, 82, 106, 111, 118, 120, 125, 138-157, 159-178, 180-213 and 215-224. In addition, Applicant cancels Claims 55, 127, and 214 without prejudice or disclaimer. In order to advance prosecution of this Application, Applicant has responded to each notation by the Examiner. Applicant submits that all of the pending claims are allowable over the cited references. Applicant respectfully requests reconsideration and favorable action in this case.

Claim Objections

The Examiner objects to Claims 20, 55-62, 118, 138-157, 159-178, 180-197, and 199-224 because of various informalities. Applicant has amended Claims 20, 56-62, 118, 138-157, 159-178, 180-197, and 199-224 to address the informalities identified by the Examiner. Applicant believes these amendments do not narrow the scope of the claims, but address the Examiner's objections. In addition, Applicant has cancelled Claim 55 without prejudice or disclaimer. Applicant respectfully requests reconsideration and favorable action in this case.

Subject Matter Indicated as Allowable

Applicant notes with appreciation the Examiner's statement that Claims 1-19, 21-54, 63-110, 137, 158, and 179 are allowed. Applicant notes that Claims 21, 64, and 106 have been amended to correct informalities unrelated to the patentability of the claim. Applicant respectfully submits that amended Claims 21, 64, and 106 continue to be in condition for allowance.

Applicant notes with appreciation the Examiner's statement that Claims 20, 55, 60-62, 138-157, 159-178, and 180-197 would be allowable if rewritten to overcome the informality objections. As indicated above, Applicant has cancelled Claim 55 and has amended Claims 20, 60-62, 138-157, 159-178, and 180-197 to address the informalities identified by the Examiner. Applicant respectfully requests reconsideration and allowance of Claims 20, 55, 60-62, 138-157, 159-178, and 180-197.

Applicant appreciates the Examiner's acknowledgment that Claims 112-113, 118-119, 121, 125, 127, 131-134, 199-200, 205-208, 212, 214, and 218-221 contain allowable subject matter and would be allowed if rewritten in independent form. Although Applicant believes all original claims are allowable over the cited references, for the sole purpose of expediting issuance of this application Applicant has rewritten Claims 127 and 214 in independent form as claims 111 and 198, respectively. In addition, as indicated above, Applicant has amended Claims 118, 199-200, 205-208, 212, and 218-221 to address the informalities identified by the Examiner. Accordingly, Applicant respectfully requests reconsideration and allowance of independent Claims 111 and 198.

Applicant also appreciates the Examiner's notation that Claims 56-59 and 120 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph. Applicant has amended Claims 56-59 and 120. Applicant believes these amendments do not narrow the scope of the claims, but address the Examiner's rejections under §112. Applicant respectfully submits that these amended claims are in condition for allowance and request favorable action with respect to these amended claims.

Claim Rejections Pursuant to 35 U.S.C. § 112

The Examiner rejects Claims 56-59 and 120 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As indicated above, Applicant has amended Claims 56-59 and 120. Applicant respectfully requests reconsideration and favorable action in this case.

Claim Rejections Pursuant to 35 U.S.C. § 102

The Examiner rejects Claims 111, 114-117, 122-124, 126, 128-130, and 135-136 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,656,759 issued to Lichtman et al. ("*Lichtman*"). As indicated above, Applicant has amended Claim 111 to include allowed Claim 127. Thus, this rejection is moot.

Claim Rejections Pursuant to 35 U.S.C. § 103

The Examiner rejects to Claims 198, 201-204, 209-211, 213, 215-217, and 222-224 under 35 U.S.C. § 103(a) as being unpatentable over *Lichtman*. As indicated above, Applicant has amended Claim 198 to include allowed Claim 214. Thus, this rejection is moot.

Comments on Reasons for Allowance

Applicant appreciates the Examiner's allowance of independent Claims 1, 21, 41, 73, 93, 137, 158, and 179. Pursuant to 37 C.F.R. § 1.104, Applicant respectfully issues a statement commenting on the Examiner's reasons for allowance. Applicant respectfully disagrees with the Examiner's reasons for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Furthermore, Applicant does not admit to any characterization or limitation of the claims or to any characterization of a reference by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

As examples, Applicant clarifies that Claims 1, 21, 41, 73, 137, and 158 do not require a specified magnitude of dispersion for all wavelengths. Applicant further notes that the specification's discussion of minimizing phase shift interactions through a relationship between fiber length and walk-off lengths provide just one example of this effect. Applicant notes that claims 54 and 111 are not co-extensive in scope. For example, claim 54 is more detailed in several respects than claim 111. Applicant objects to any conclusion that all details of claim 54 are also required by claim 111. Applicant also notes that claims 127 and 214 recite an amplifier "positioned substantially at a midpoint of the fiber loop." Applicant does not believe that the Examiner's shorthand references to the claims represents any different interpretations from these and provides these comments merely to avoid any confusion when viewing the Examiner's Reasons for Allowance in light of the actual claim language.

CONCLUSION

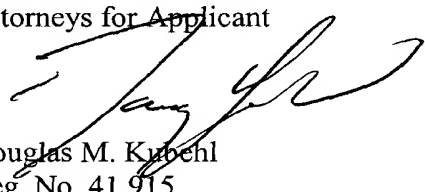
Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending Claims.

Applicant believes no fees are due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

Respectfully submitted,

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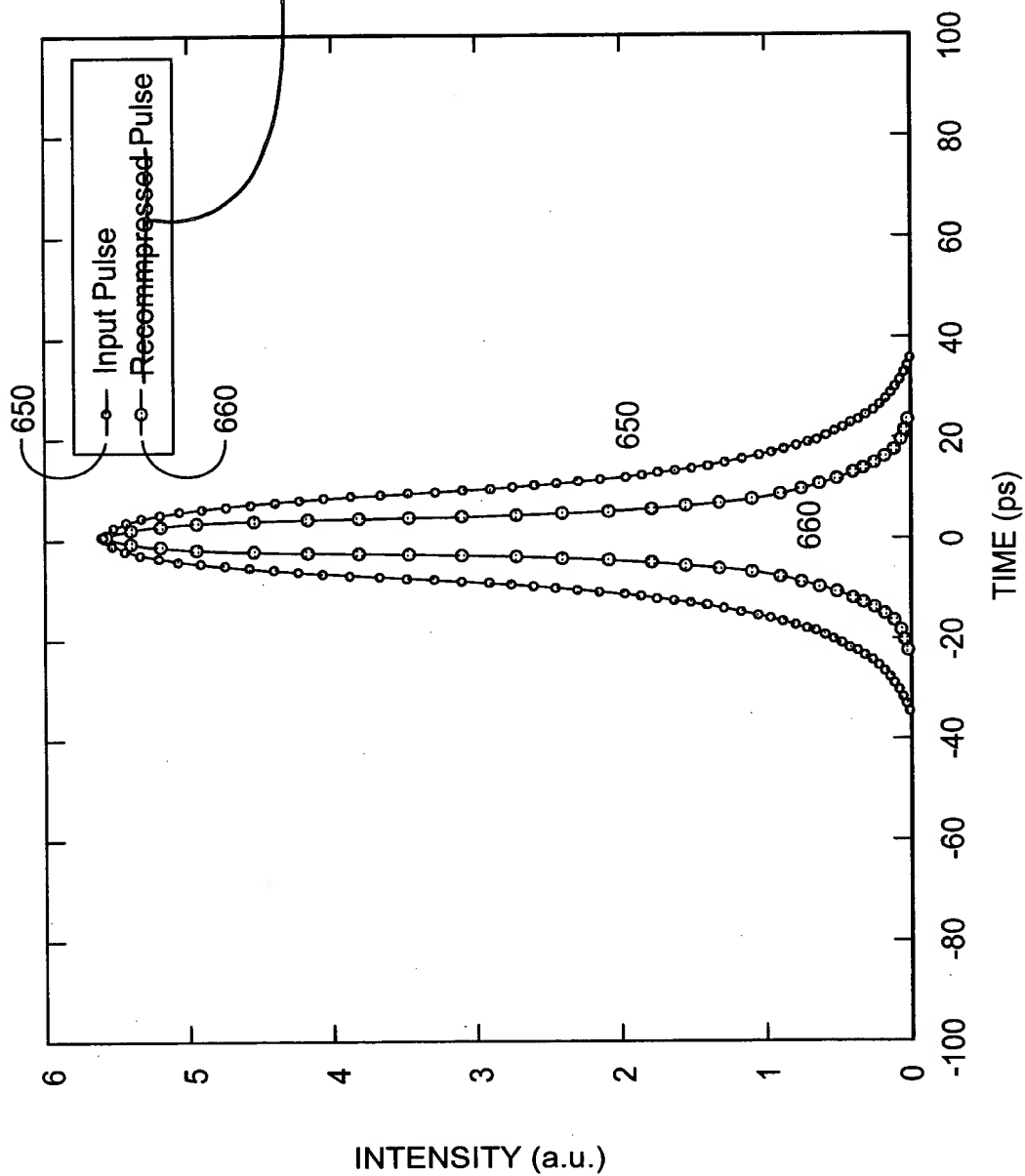
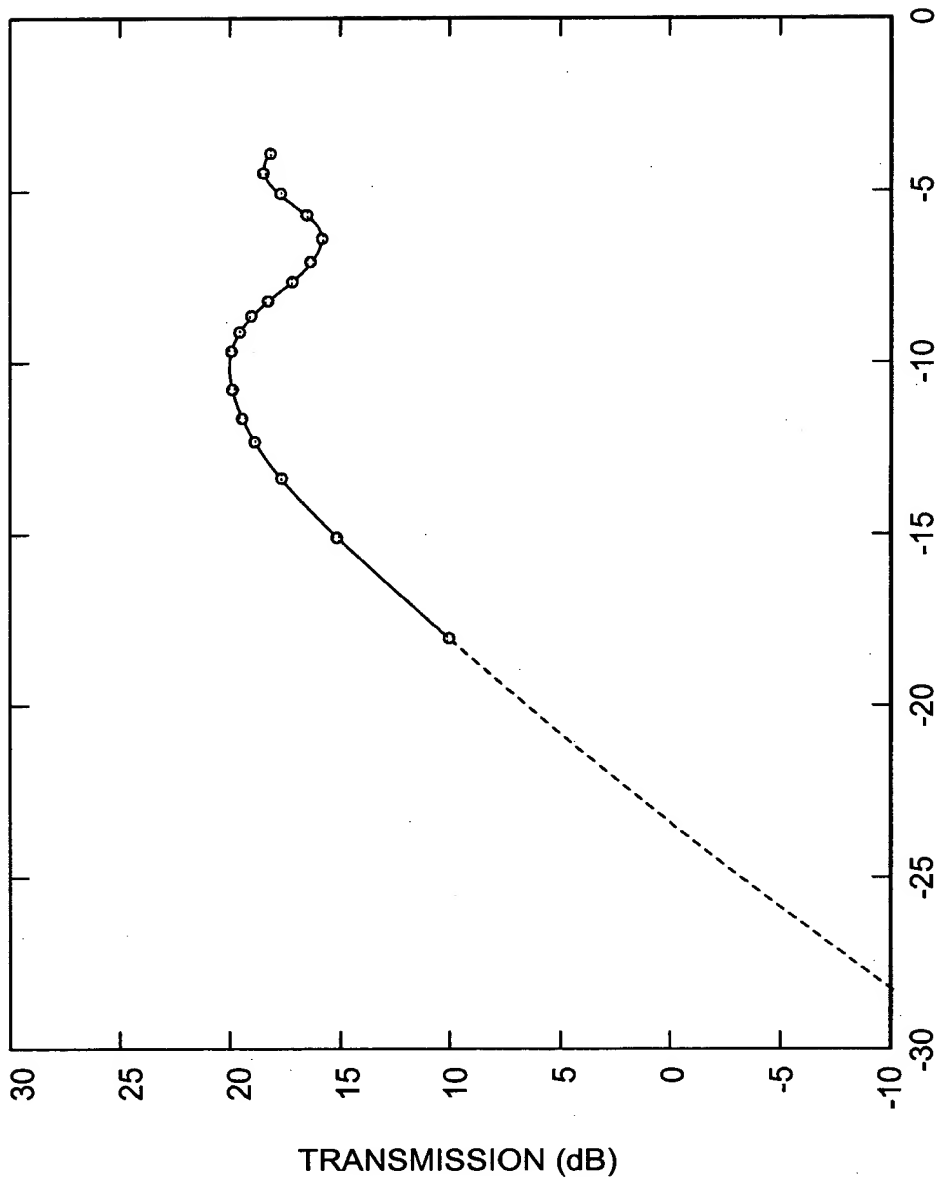


FIG. 6B



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1900



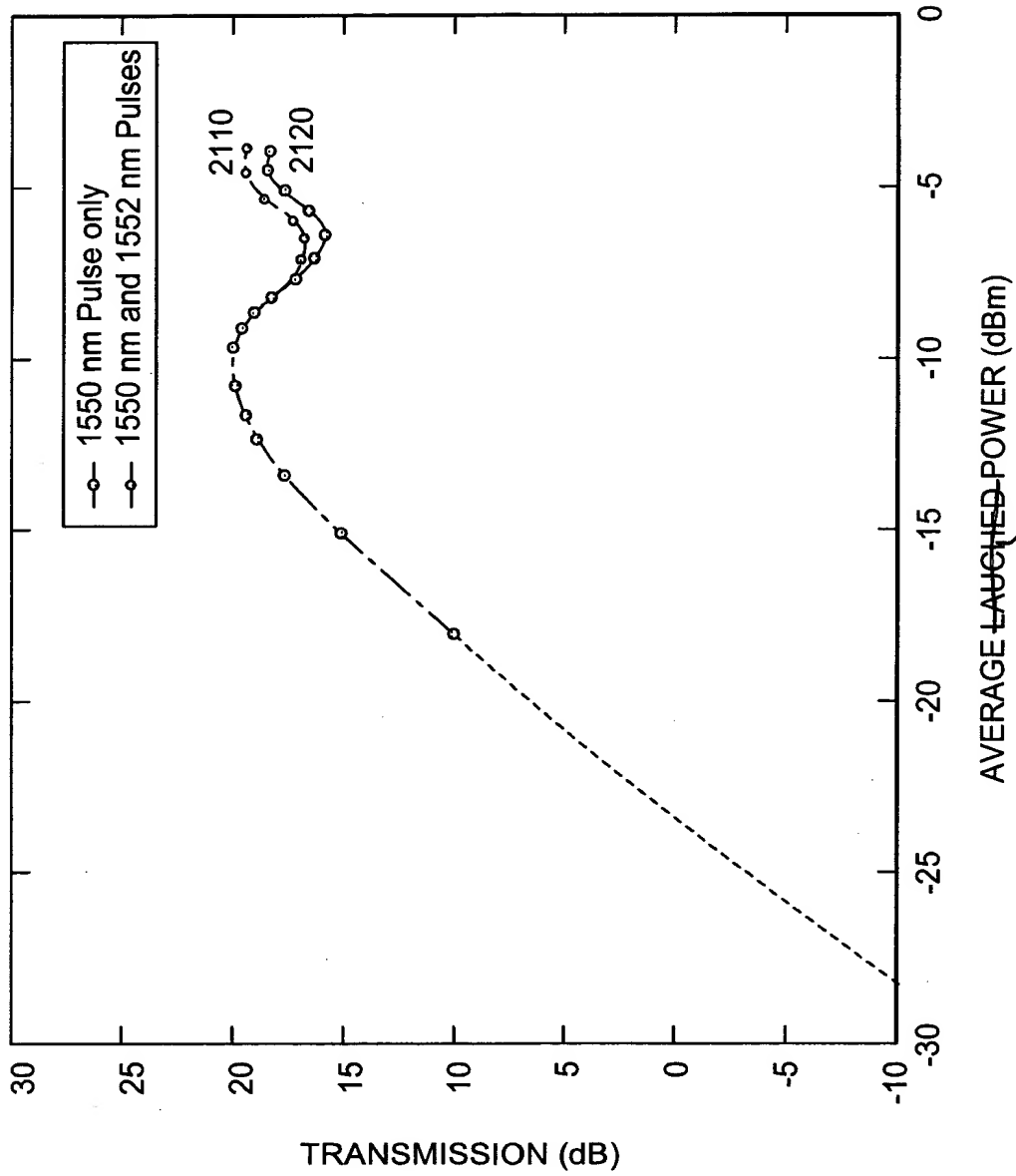
AVERAGE LAUNCHED POWER (dBm)

LAUNCHED

FIG. 19



2100



Launched

FIG. 21